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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) Criminal No. CR 05-00383 PJH
Plaintiff,)
v.)
LONNIE WILLIAMS,)
Defendant.)

**STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME**

The above-captioned matter came before the Court on January 18, 2006, for trial setting. The defendant, Lonnie Williams, who was present, was represented by Mark Rosenbush, Esq., and the government was represented by Richard J. Cutler, Assistant United States Attorney. At the hearing, defense counsel indicated to the court that he planned on filing a Motion to Suppress defendant's post-arrest statements and a Motion in Limine to exclude evidence of gang affiliation from the trial. The court thereafter set a motion schedule in which defendant's motions were to be filed by January 27, 2006,

**STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME - DEFENDANT - LONNIE WILLIAMS
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1 government's response by February 6, 2006, defendant's reply by February 10, 2006, and
2 hearing and decision on motions on February 22, 2006, at 2:30 p.m.

3 The parties agree and stipulate that the time from January 18, 2006, until and through
4 the filing of the motions - January 27, 2006, is appropriate and necessary for defendant to
5 prepare the motions and to conduct effective trial preparation, taking into account the
6 exercise of due diligence, under 18 U.S.C. § 3161(8)(B)(iv), and that time should
7 therefore be excluded from the seventy-day speedy trial calculation because the ends of
8 justice served by this continuance outweigh the best interest of the public and the
9 defendant in a speedy trial.

10 The parties further agree and stipulate that the time from the filing of defendant's
11 motions on January 27, 2006, until and through the hearing and decision on the motions
12 on February 22, 2006, shall likewise be excluded from the seventy-day speedy trial
13 calculation pursuant to 18 U.S.C. § 3161(h)(1)(F) because it represents delay resulting
14 from the filing of pretrial motions to and through the decision on the motions.

15
16 DATED: 1/18/06

/S/
MARK ROSENBUSH, ESQ.
Counsel for DEFENDANT
LONNIE WILLIAMS

19
20 DATED: 1/18/06

/S/
RICHARD J. CUTLER
Assistant United States Attorney

22 SO ORDERED.

24 DATED: 1/19/06



28 STIPULATION AND [PROPOSED]
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